

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION**

1:11cv22

DEBBIE and PAWLACZYK, and)
ALEXANDER EVANS, On Behalf)
of Themselves and All Others)
Similarly Situated,)
)
Plaintiffs,)
)
v.)
)
NAVISTAR, INC. and FORD)
MOTOR COMPANY,)
)
Defendants.)
_____)

ORDER

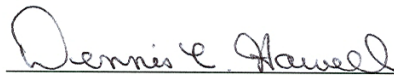
Pending before the Court is the parties' Joint Motion to Stay [#12]. Plaintiffs brought this class action against Defendants Navistar, Inc. and Ford Motor Company alleging defects in diesel engines offered in some of the Ford F-series Super-duty pickup trucks and Ford Excursions. Plaintiffs claims are similar to claims raised by plaintiffs in other federal district courts around the nation.

A motion is currently pending before the Judicial Panel on Multidistrict Litigation ("JPML") requesting that these cases, including the instant action, be consolidated before a MDL Court in either the Middle District of Tennessee or the Southern District of California. Both parties agree that the actions should be

consolidated and transferred but disagree as to the appropriate jurisdiction.

The parties now jointly move the Court to stay this litigation pending a ruling by the JPML regarding whether transfer and consolidation of this case is appropriate. For good cause shown, the Court **GRANTS** the parties' Joint Motion to Stay [#12]. The Court **STAYS** all proceedings in this case pending a ruling by the JPML on the Motion for Transfer and Consolidation. The parties shall notify the Court within ten (10) days of the entry of a decision ruling on this motion.

Signed: March 29, 2011

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Dennis L. Howell
United States Magistrate Judge

